

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAMELA J. BLANCO,

Plaintiff,

-against-

JOHN BROGAN, individually and
the VILLAGE OF SCARSDALE,
New York,

Defendants.

07 Civ. 4065 (CLB)(GAY)

AFFIDAVIT OF
HOWARD M. MILLER

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

Howard M. Miller, being duly sworn, deposes and says:

1. I am a member of the firm of Bond, Schoeneck & King, PLLC, attorneys for defendant, Village of Scarsdale. This affidavit is submitted in support of Defendant Village of Scarsdale's motion to dismiss the First Amended Complaint.

2. A copy of the charge of discrimination plaintiff filed with the U.S. Equal Employment Opportunities Commission (Charge No. 520200701320), which is referenced in the First Amended Complaint at ¶¶ 2 and 9, is annexed hereto as Exhibit "A."

s/ Howard M. Miller
HOWARD M. MILLER

Sworn to before me this
21st day of September 2007.

Regina L. Olsen

Notary Public

REGINA L. OLSEN
Notary Public, State of New York
Qualified in Nassau Co. No. 30-4730341
Commission Expires August 31, 2010

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2007, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties and participants:

LOVETT & GOULD, LLP
222 Bloomingdale Road
White Plains, New York 10605

KEANE & BEANE
445 Hamilton Avenue, 15th Floor
White Plains, New York 10601

s/ Howard M. Miller
Howard M. Miller (HMM: 4538)
Bond, Schoeneck & King, PLLC
Attorneys for Defendant, Village of Scarsdale
1399 Franklin Avenue, Suite 200
Garden City, New York 11530

EXHIBIT “A”

U.S. Equal Employment Opportunity Commission

SCARSDALE POLICE DEPARTMENT Chief Brogan 50 Tompkins Road Scarsdale, NY 10583	PERSON FILING CHARGE
	Pamela Blanco
THIS PERSON (check one or both)	
<input checked="" type="checkbox"/> Claims To Be Aggrieved <input type="checkbox"/> Is Filing on Behalf of Other(s)	
EEOC CHARGE NO. 520-2007-01320	

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

Title VII of the Civil Rights Act The Americans with Disabilities Act

The Age Discrimination in Employment Act The Equal Pay Act

The boxes checked below apply to our handling of this charge:

- No action is required by you at this time.
- Please call the EEOC Representative listed below concerning the further handling of this charge.
- Please provide by **28-FEB-07** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to _____.

If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

John B. Douglass,
Supervisory Investigator

EEOC Representative

Telephone (212) 336-3765New York District Office - 520
33 Whitehall Street
5th Floor
New York, NY 10004Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

RACE COLOR SEX RELIGION NATIONAL ORIGIN AGE DISABILITY RETALIATION OTHER

See enclosed copy of charge of discrimination.

Date February 06, 2007	Name / Title of Authorized Official Spencer H. Lewis, Jr., Director	Signature 
---------------------------	---	--

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse before completing this form

ENTER CHARGE
NUMBER FEPA
 EEOCNEW YORK STATE DIVISION OF HUMAN RIGHTS and EEOC
(State or local Agency, if any)

NAME (Indicate Mr.,)	DOB: [REDACTED]	HOME TELEPHONE NO. (Include Area Code) B45-353-2443
Ms. Pamela J. Blanco	ss# [REDACTED]	
STREET ADDRESS 968 Sierra Vista Lane Valley Cottage, New York 10989 Rockland	CITY, STATE AND ZIP CODE	COUNTY
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)		
NAME Scarsdale Police Department, Village of Scarsdale, N.Y.	NO. OF EMPLOYEES/MEMBERS 100+	TELEPHONE NUMBER (Include Area Code) 914-722-1200
STREET ADDRESS 50 Tompkins Road, Scarsdale, New York 10583	CITY, STATE AND ZIP CODE	
NAME N/A		TELEPHONE NUMBER (Include Area Code)
STREET ADDRESS	CITY, STATE AND ZIP CODE	

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))	DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE
<input checked="" type="checkbox"/> race <input checked="" type="checkbox"/> color <input checked="" type="checkbox"/> sex <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> NATIONAL ORIGIN	2007 (month, day, year)
<input checked="" type="checkbox"/> Age <input type="checkbox"/> RETALIATION <input type="checkbox"/> OTHER	January 3, 2007

THE PARTICULARS ARE (If additional space is needed attach extra sheet(s))

I am a female, Caucasian police officer employed by the Respondent, having first been sworn as a member of the Village Police Department in 1996. Since my initial employment and continuing to date I have been systematically and routinely denied equal terms and conditions of employment as those enjoyed by police officers who are male, male Hispanic and/or male Black and/or male of Middle Eastern descent. In that connection and continuing to date I have regularly been denied specialized training, whereas junior male police officers have been afforded same. I have been routinely skipped for promotion and/or special duty assignments in favor of younger and/or lesser qualified officers. Most recently this past summer/fall I was denied two promotional opportunities one of which was given to a male Hispanic with but two years experience on the job; the other was given to a male of Jordanian national origin, who had only two years experience on the job. In each case I was better qualified for the appointment. Out of approximately 40+ police officers, there are only two females - - who are required to use a bathroom as a locker room. Under the premises I charge Respondent with violating my rights, privileges and immunities as guaranteed me by reason of Title VII and the Age Discrimination in Employment Act.

I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.



SIGNATURE OF COMPLAINANT

Pamela J. Blanco, January 3, 2007

NOTARY (When necessary to meet State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWEORN TO BEFORE ME THIS DATE
(Day, month and year)